

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 7 FEET FOR AN EXISTING ABOVE GROUND POOL IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (BRUCE QUINN, APPLICANT).

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

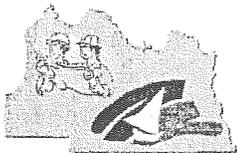
**Agenda Date** 06-27-05 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 7 FEET FOR AN EXISTING ABOVE GROUND POOL IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (BRUCE QUINN, APPLICANT); OR
2. **DENY** THE REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 7 FEET FOR AN EXISTING ABOVE GROUND POOL IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (BRUCE QUINN, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	<b>APPLICANT:</b> BRUCE QUINN <b>LOCATION:</b> 4320 ROCKY RIDGE PLACE <b>ZONING:</b> R-1A (WOODBINE)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT CONSTRUCTED AN ABOVE GROUND POOL, WITHOUT A PERMITS, THAT ENCROACHES 3 FEET INTO THE 10 FOOT MINIMUM REAR YARD SETBACK.</li> <li>• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.</li> </ul>
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE GRANTING OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE WOODBINE NEIGHBORHOOD BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP BY THE APPLICANTS.</li> </ul>

	<ul style="list-style-type: none"><li>• THE OPPORTUNITY EXISTS TO CONSTRUCT A COMPLIANT ABOVE GROUND POOL. THEREFORE, THE REQUESTED VARIANCE WOULD NOT BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST, UNLESS THE APPLICANTS CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL:<ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE ABOVE GROUND POOL AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul></li></ul>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

APPL NO. BV2005-072

**APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT**

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

**APPLICATION TYPE:**

- VARIANCE** Above ground pool setback to 7 foot rear
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING \_\_\_\_\_) (PROPOSED \_\_\_\_\_)
- SIZE OF MOBILE HOME / RV \_\_\_\_\_
- PLAN TO BUILD  YES  NO IF SO, WHEN \_\_\_\_\_
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Bruce Quinn</u>	
ADDRESS	<u>4320 Rocky Ridge Pl.</u>	
	<u>Sanford, FL 32773</u>	
PHONE 1	<u>407 321-2961 (home)</u>	
PHONE 2	<u>407 497-8671 (cell)</u>	
E-MAIL	<u>bruce.quinn@siemens.com</u>	

PROJECT NAME: 4320 Rocky Ridge Place  
 SITE ADDRESS: 4320 Rocky Ridge Place  
 CURRENT USE OF PROPERTY: Single Family Dwelling (LDR)  
 LEGAL DESCRIPTION: Lot 59 Block A Woods Acre

SIZE OF PROPERTY: < 1/4 acre(s) PARCEL I.D. 13-20-30-507-0A00-590  
 UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_  
 KNOWN CODE ENFORCEMENT VIOLATIONS \_\_\_\_\_

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 6/27/05 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Bruce Quinn 5/6/2005  
 SIGNATURE OF OWNER/OR AGENT\* DATE

\* Proof of owner's authorization is required with submittal if signed by agent.

**ADDITIONAL VARIANCES**

VARIANCE 2:  
\_\_\_\_\_  
\_\_\_\_\_

VARIANCE 3:  
\_\_\_\_\_  
\_\_\_\_\_

VARIANCE 4:  
\_\_\_\_\_  
\_\_\_\_\_

VARIANCE 5:  
\_\_\_\_\_  
\_\_\_\_\_

VARIANCE 6:  
\_\_\_\_\_  
\_\_\_\_\_

VARIANCE 7:  
\_\_\_\_\_  
\_\_\_\_\_

**APPEAL FROM BOA DECISION TO BCC**

APPELLANT INFORMATION	
NAME	_____
ADDRESS	_____
PHONE 1	_____
PHONE 2	_____
E-MAIL	_____

NATURE OF THE APPEAL \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ APPELLANT SIGNATURE \_\_\_\_\_

**FOR OFFICE USE ONLY**

**PROCESSING:**

FEE(S): \_\_\_\_\_ COMMISSION DISTRICT \_\_\_\_\_ FLU / ZONING LDR / R-1A

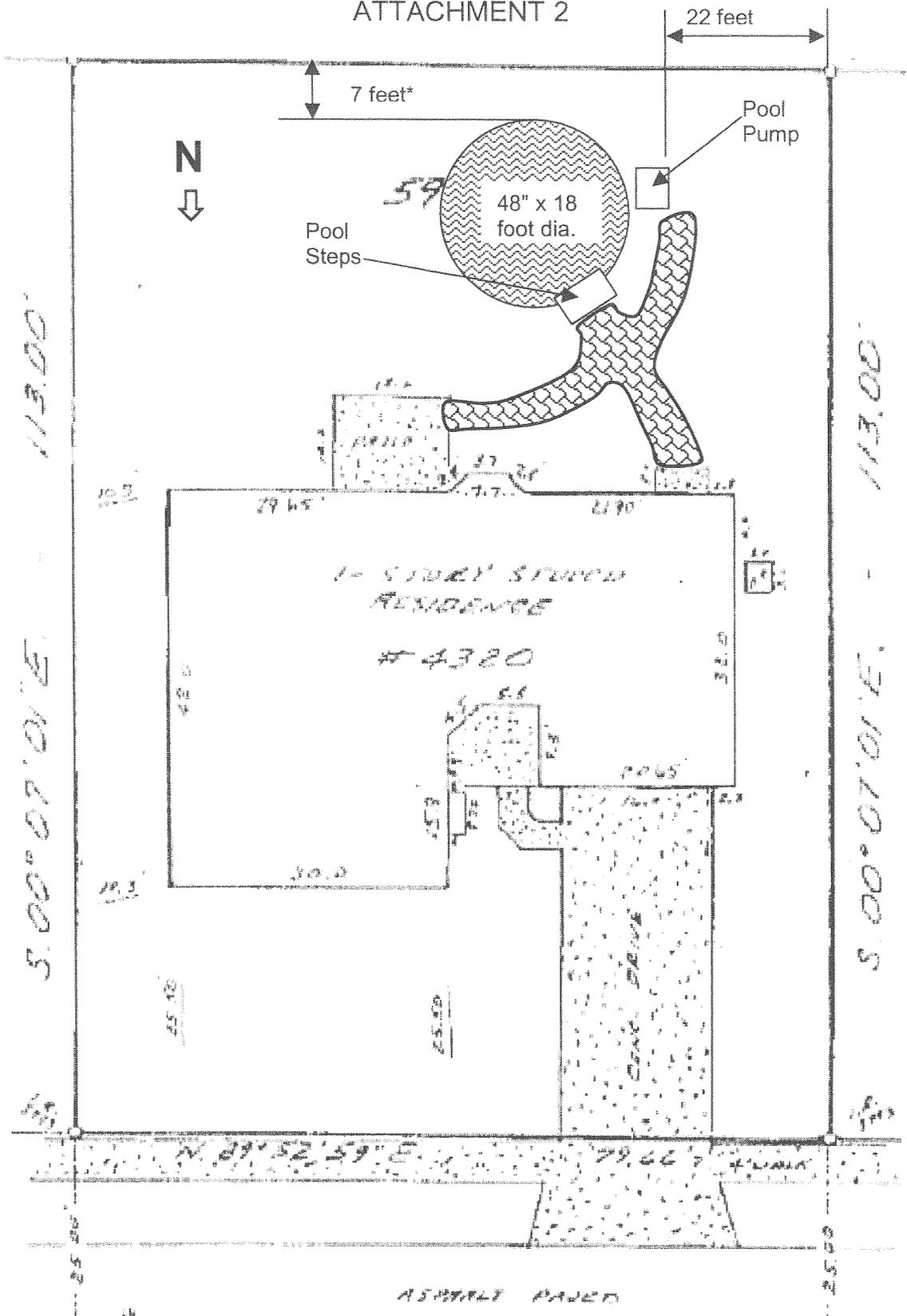
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS \_\_\_\_\_  
\_\_\_\_\_

PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_

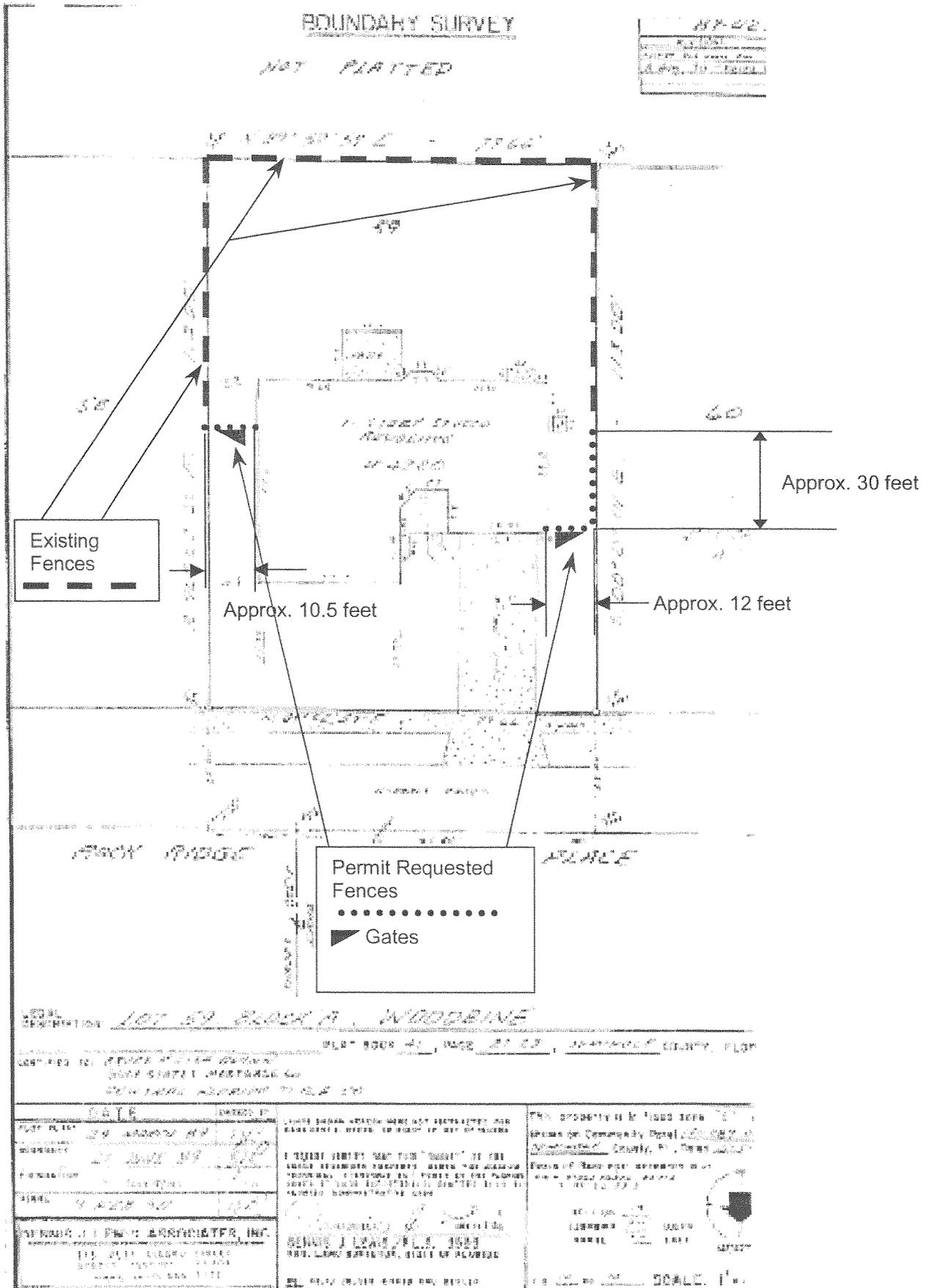
SUFFICIENCY COMMENTS \_\_\_\_\_  
\_\_\_\_\_

ATTACHMENT 2



\* Variance requested for this application

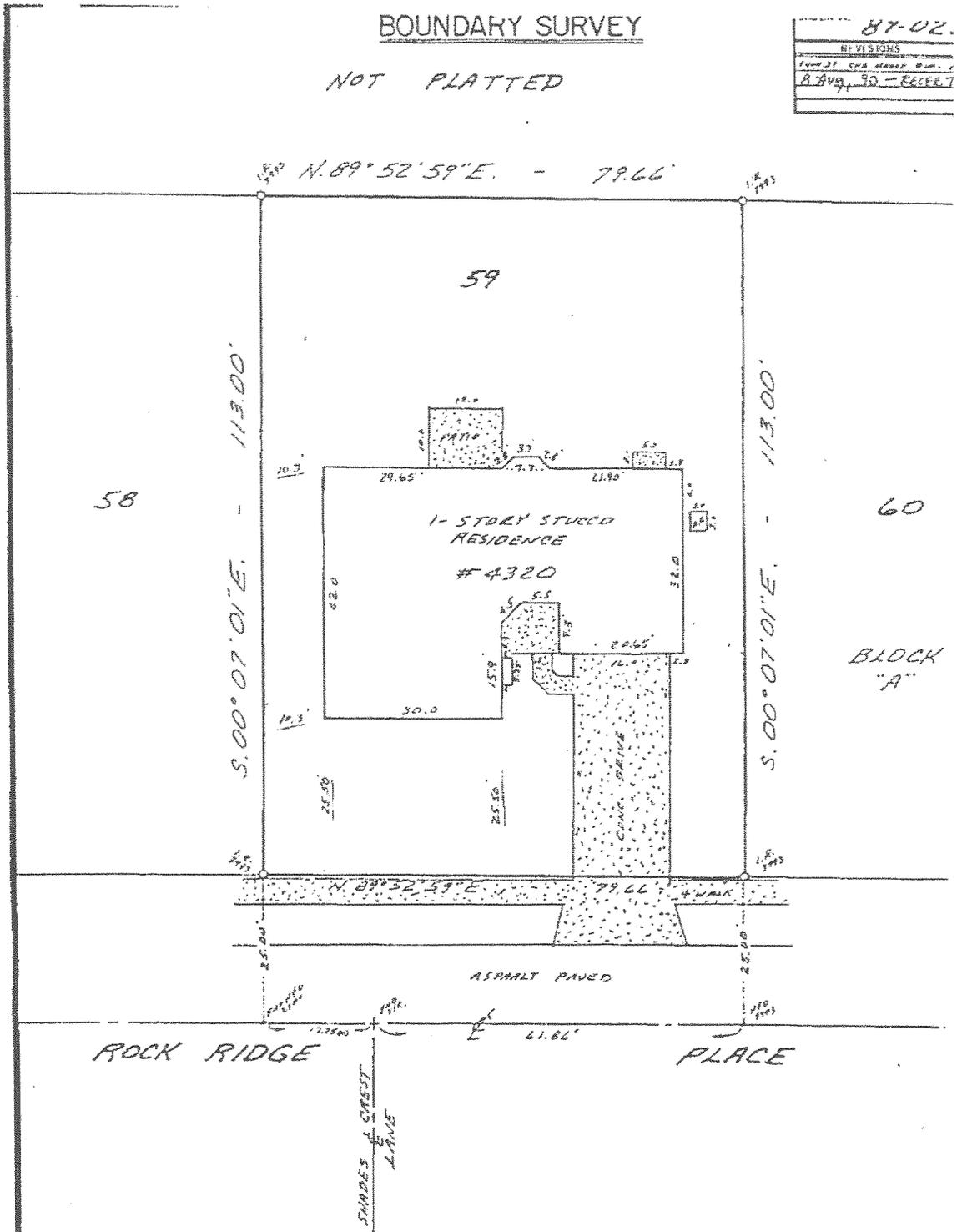
# ATTACHMENT 3



**BOUNDARY SURVEY**

NOT PLATTED

87-02.  
 REVISIONS  
 FOUND BY: CEN. MAPS. DIV. 1  
 8 AUG. 90 - RECEIVED



LEGAL DESCRIPTION: LOT 59, BLOCK 'A', WOODBINE  
 PLAT BOOK 41, PAGE 22-23, SEMINOLE COUNTY, FLOR

CERTIFIED TO: BRUCE & LISA QUINN  
GULF STATES MORTGAGE CO.  
CENTRAL FLORIDA TITLE CO.

DATE	CHECKED BY
PLOT PLAN: 29 MARCH 89	DL
BOUNDARY: 21 JUNE 89	DL
FOUNDATION: 1* July 89, MS	DL
FINAL: 9 FEB. 90	DL

LABOR SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, DEEDS, OR RIGHT-OF-WAY OF RECORD.  
 I HEREBY CERTIFY THAT THIS "SURVEY" OF THE ABOVE DESCRIBED PROPERTY, MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, IN CHAPTER 11M-8, FLORIDA ADMINISTRATIVE CODE.

*Dennis J. Lewis*  
**DENNIS J. LEWIS, P.L.S. 3993**  
 REG. LAND SURVEYOR, STATE OF FLORIDA

This property is in flood zone "C" as shown on Community Panel LEO 289 D, SEMINOLE County, FL, Dated 5-5-  
 Basis of Bearings: RECORDED PLAT, ROCK RIDGE PLACE BEING N. 89° 52' 59" E.

SECTION 13  
 TOWNSHIP 20 SOUTH  
 RANGE 30 EAST  
 F.D. 54 PG. 28 SCALE: 1" = 2'

**DENNIS J. LEWIS ASSOCIATES, INC.**  
 115 WEST SECOND STREET  
 APOPKA, FLORIDA 32703  
 PHONE: (407) 886-7772

NOT VALID UNLESS SIGNED AND SEALED.

8 Aug. 90 - RECEIVED

GENERAL APPLICATION SUBMITTAL REQUIREMENTS:

- A. Statement of request  
Request a variance to reduce setback requirements from rear lot line to existing above ground pool. The temporary structure exists at 7'-8" from the Woodbine Subdivision fence. The current setback requirement is 10 feet, I am requesting to change the setback to 7 feet for this structure only.
- B. Applicant contact information.  
Bruce Quinn  
4320 Rocky Ridge Place  
Sanford, FL 32773  
Home – 407.321.2961  
Work – 407.736.5542  
Cell - 407.497.8671  
Email – [bruce.quinn@siemens.com](mailto:bruce.quinn@siemens.com)  
[quinn5fl@bellsouth.net](mailto:quinn5fl@bellsouth.net)
- C. Project name.  
4320 Rocky Ridge Place
- D. Site address.  
4320 Rocky Ridge Place  
Sanford, FL 32773
- E. Current use of property.  
Single family dwelling
- F. Legal description of property.  
Lot 59, Block A, Woodbine
- G. Size of property.  
80' x 113"
- H. Dimensions of the lot parcel  
Same
- I. Arrow indicating North.
- J. Location and names of abutting streets or roads.  
Tiffany Lane (rear, private drive)  
Rocky Ridge Place (front)
- K. Location and size of existing or proposed septic.  
N/A Seminole County Water & Sewer
- L. Location and size of trees removed or retained.  
None

- M. Location and size of all easements.  
Utility and Ingres/Egress easement from Woodbine fence to 60ft south of property.
- N. Location and size of existing or proposed driveway access.  
No rear drive access
- O. Parcel identification number assigned by property appraiser.  
13-20-30-507-0A00-590
- P. Identification of available utilities.  
Electrical for pool pump 220VAC
- Q. Description of known code enforcement violations on property.  
None other than requested variance and permitting issues involving variance issues.
- R. Property accessibility to inspection by Planning Division Staff.  
Monday thru Friday by appointment.
- S. Application fee.  
\$150.00 Check number 5624
- T. Authorization form.  
  
See Attachment 1
- U. 8-1/2" x 11" Site plan depicting existing & proposed buildings, structures and improvements.  
  
See Attachment 2
- V. Written statement that responds to the criteria stated in the LAND DEVELOPMENT CODE for grant of variance.

The original installation of the pool was performed 12 years ago. At the time of the installation it was not clear to me that Seminole County was regulating above ground pools. I was given incomplete or conflicting information about permitting and setback requirements. The pool has been maintained in its current location without creating any issues with the neighbors or the county that we are aware. As code describes a screen enclosure for the pool can be placed within five feet of the property line, this above ground pool will not have such a structure so we think this is a reasonable request. We would ask that the committee allow this variance to prevent the immediate relocation of the temporary pool structure. Should issues arise with easements or utility access structure can be moved for commencement of essential work.

ADDITIONAL SUBMITTAL REQUIREMENTS:

- A. Location, size and setbacks from property lines for all proposed or existing mobile homes, conventional homes, and accessory structures such as fences, walls, pools, pool screen enclosures, utility buildings, boat docks, etc.

1 - conventional home setback East, 10-1/2 feet; West, 12 feet; North 25-1/2 feet from easement; South 80 feet.

1 – 10 x 12 foot concrete slab porch East, 28 feet; South 70 feet

1 – wooden privacy fence, see Attachment 3.

1 – 48 inch deep x 18 foot diameter above ground pool with Hayward Pump filter system West 24 feet; South 7 feet.\*

- B. Location of concrete pads, driveways, and sidewalks.

Concrete pool path as described in Attachment 2

North side of dwelling has sidewalk on easement and driveway per Attachment 2

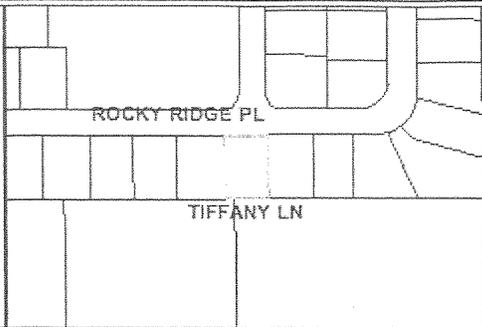
**PARCEL DETAIL**

DAVID JOHNSON, CFA, ASA

**PROPERTY APPRAISER**

SEMINOLE COUNTY FL

1101 E. FIRST ST  
SANFORD, FL 32771-1468  
407-665-7508



**GENERAL**

Parcel Id: 13-20-30-507-0A00-0590      Tax District: 01-COUNTY-TX DIST 1

Owner: QUINN BRUCE L & LISA A      Exemptions: 00-HOMESTEAD

Address: 4320 ROCKY RIDGE PL

City,State,ZipCode: SANFORD FL 32773

Property Address: 4320 ROCKY RIDGE PL SANFORD 32773

Subdivision Name: WOODBINE

Dor: 01-SINGLE FAMILY

**2005 WORKING VALUE SUMMARY**

Value Method: Market

Number of Buildings: 1

Depreciated Bldg Value: \$110,455

Depreciated EXFT Value: \$938

Land Value (Market): \$25,000

Land Value Ag: \$0

Just/Market Value: \$136,393

Assessed Value (SOH): \$96,045

Exempt Value: \$25,000

Taxable Value: \$71,045

Tax Estimator

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	09/1990	02222	0822	\$88,900	Improved
WARRANTY DEED	06/1989	02078	0259	\$15,900	Vacant

Find Comparable Sales within this Subdivision

**2004 VALUE SUMMARY**

Tax Value(without SOH): \$1,657

2004 Tax Bill Amount: \$1,153

Save Our Homes (SOH) Savings: \$504

2004 Taxable Value: \$68,248

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	25,000.00	\$25,000

**LEGAL DESCRIPTION PLAT**

LEG LOT 59 BLK A WOODBINE PB 41 PGS 22 & 23

**BUILDING INFORMATION**

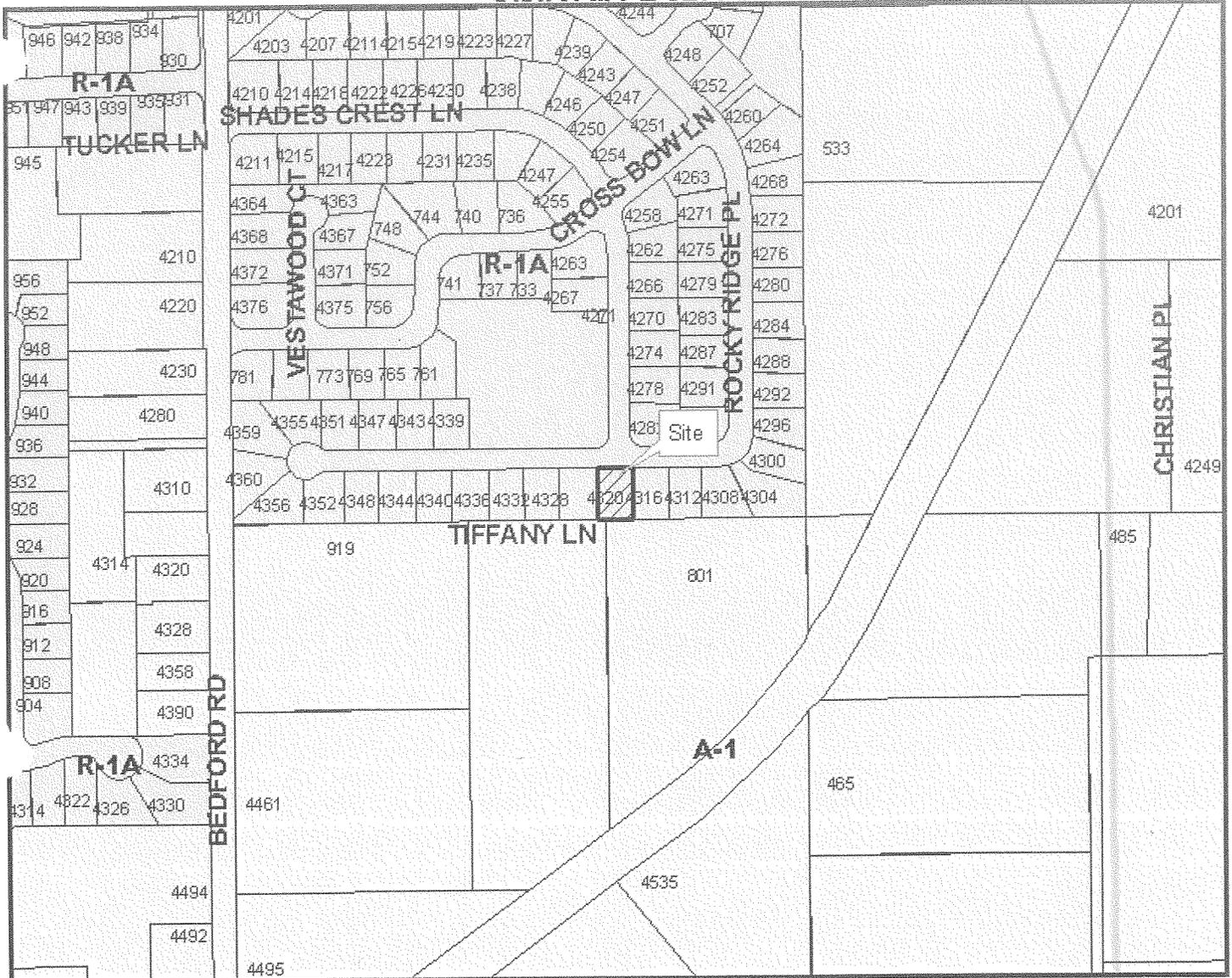
Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1990	6	1,683	2,204	1,683	CB/STUCCO FINISH	\$110,455	\$116,575
	Appendage / Sqft		GARAGE FINISHED / 440						
	Appendage / Sqft		OPEN PORCH FINISHED / 81						

**EXTRA FEATURE**

Description	Year Bld	Units	EXFT Value	Est. Cost New
FIREPLACE	1990	1	\$938	\$1,500

NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.  
 \*\*\* If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

Bruce Quinn  
 4320 Rocky Ridge Place  
 Sanford, FL 32773

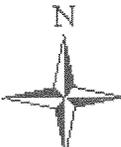
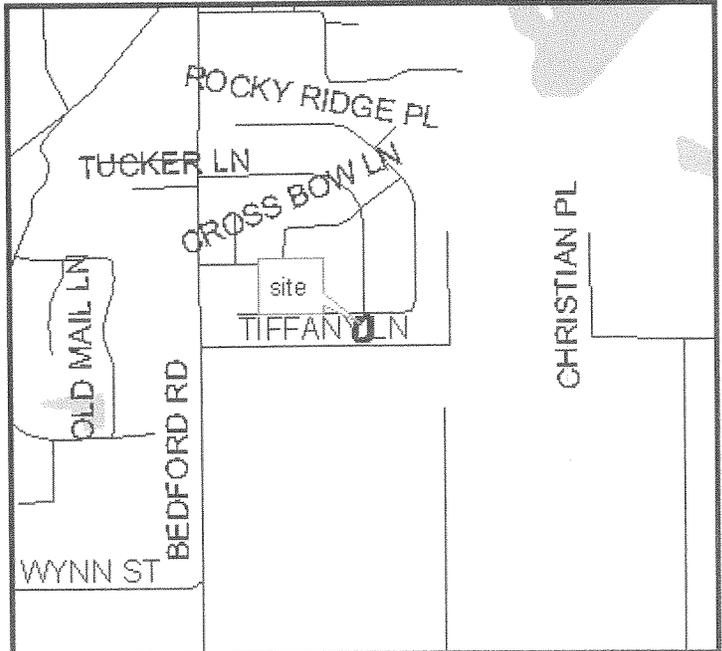


Seminole County Board of Adjustment  
 June 27, 2005  
 Case: BV2005-072  
 Parcel No: 13-20-30-507-0A00-0590

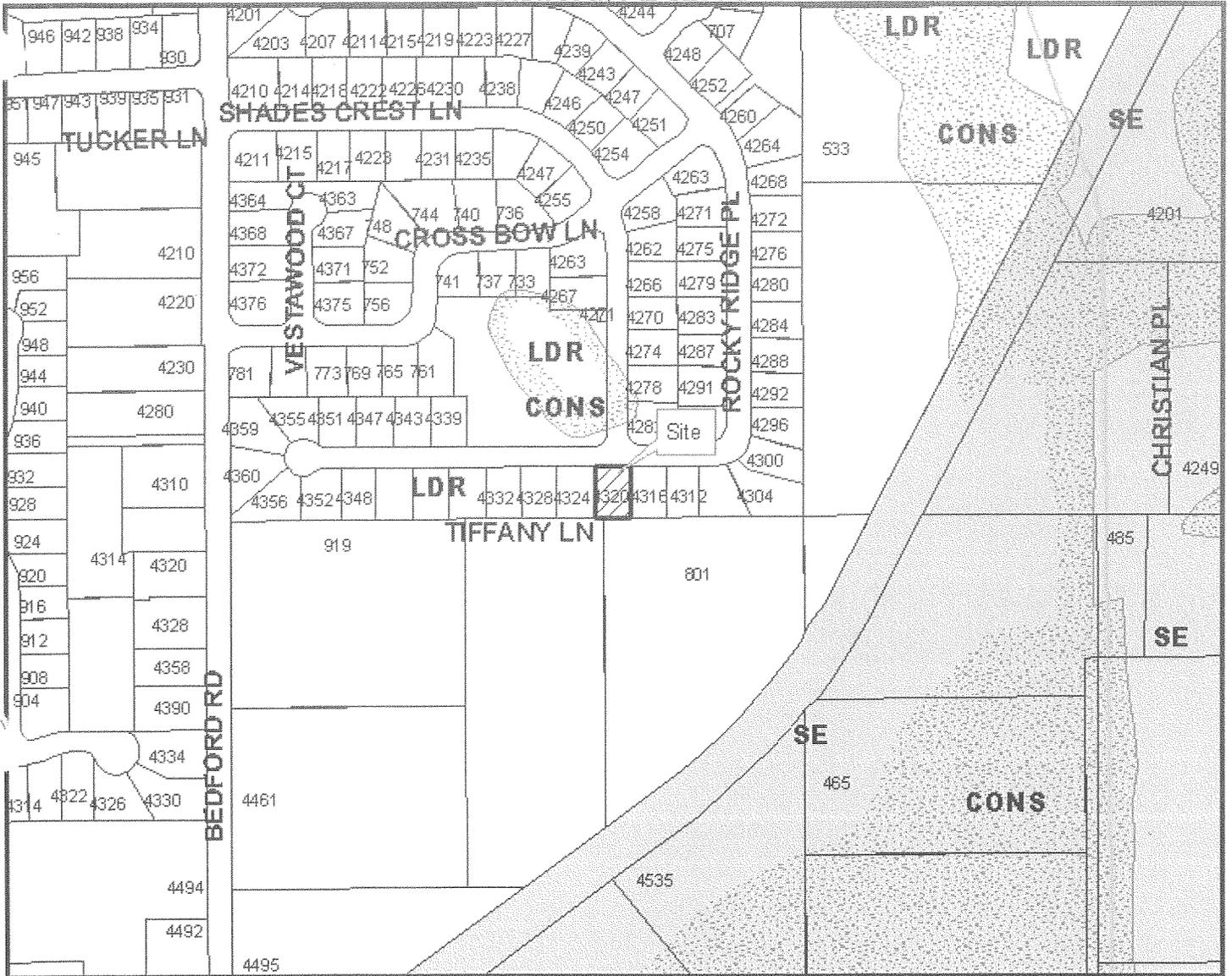
**Zoning**

-  A-1 Agricultural-1Ac
-  R-1A Single Fam-9000
-  BV2005-072

0 85 170 340 510 680 Feet

Bruce Quinn  
 4320 Rocky Ridge Place  
 Sanford, FL 32773



Seminole County Board of Adjustment  
 June 27, 2005  
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**Future Land Use**

-  BV2005-072
-  CONS, SE
-  CONS, LDR
-  SE, NONE
-  LDR, NONE

